

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JUNE 4, 2002

CALL TO ORDER/NOTING OF QUORUM (Approved June 18, 2002)

Vice Chairperson Glass called the meeting to order and noted the quorum and the attendance. Present were Commissioner Davis and Commissioner Marks. Also in attendance were Executive Secretary Steiner and Industry Liaison Okey.

Ronna Chappell of ILBA, Pam Ferguson of WSWI, Mark Shublak of Ice Miller, Debra Scott of IABR were present as observers.

COMMUNICATIONS FROM THE FLOOR

There were no Communications From the Floor.

DISPOSITION OF MINUTES

Commissioner Marks moved to approve the minutes that were submitted for the May 21, 2002 meeting. Motion seconded by Commissioner Davis and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

There were no PAD forms or Hearing Judge's Recommendations to approve for today's meeting.

APPEAL OF HEARING JUDGE'S RECOMMENDATIONS

There were no Appeals of Hearing Judge's Recommendations.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Davis and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have

been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Marks and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Davis and it was unanimously approved.

Two hundred twenty-eight (228) renewals approved, twenty-four (24) new and/or transfer permits approved, six (6) permits conditionally approved, one (1) permit approved for first year escrow and five (5) permits approved for second year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Marks moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Davis and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR66-19789 CULVER FIVE, INC. – Vice Chairperson Glass noted this is a new type 210-1 application with the local board voting four (4) to zero (0) to approve.

Vice Chairperson Glass moved to uphold the local board's recommendation to approve the new permit. Motion seconded by Commissioner Davis and it was unanimously approved.

DL71-04161 RJM, LLC – Vice Chairperson Glass noted this is a type 217 transfer of ownership and location application with the local board voting four (4) to zero (0) to disapprove.

Vice Chairperson Glass moved to uphold the local board's recommendation to deny the transfers. Motion seconded by Commissioner Marks and it was unanimously approved.

INACTIVE FILES

Commissioner Marks moved to make eight permits inactive. Seven (7) permits are not subject to auction and one (1) permit is subject to auction. Motion seconded by Commissioner Davis and it was unanimously approved.

APPEALS FROM LOCAL BOARD RECOMMENDATIONS

DL49-18794 JOHNSON OIL COMPANY – Vice Chairperson Glass stated this appeal will be assigned to a hearing officer.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

EVANSVILLE FREEDOM FESTIVAL – The Evansville Freedom Festival is requesting permission to serve donated alcoholic beverages at their Festival.

HANCOCK MEMORIAL HOSPITAL FOUNDATION ANNUAL GOLF BENEFIT – The Hancock Memorial Hospital Foundation is requesting permission to sell beer at their Annual Golf Benefit.

AMERICAN LUNG ASSOCIATION SPIRIT OF INDIANA GALA – The American Lung Association is requesting permission to serve donated alcoholic beverages at their Spirit of Indiana Gala.

INDIANAPOLIS SYMPHONY ORCHESTRA’S ANNUAL GALA OPENING NIGHT – The Indianapolis Symphony Orchestra is requesting permission to serve donated alcoholic beverages at their Annual Gala Opening Night.

INDIANA BLACK EXPO – Indiana Black Expo is requesting permission to serve donated alcoholic beverages at their upcoming events.

AGAPE’ THERAPEUTIC HORSEBACK RIDING CENTER – The Agape’ Therapeutic Horseback Riding Center is requesting permission to serve donated alcoholic beverages at their major fundraiser.

POLICY DETERMINATIONS

There were no Policy Determinations.

UNDER ADVISEMENT

There were no matters Under Advisement.

ANNOUNCEMENTS

There were no Announcements.

ADJOURNMENT

Commissioner Davis moved to adjourn the meeting. Motion seconded by Commissioner Marks and it was unanimously approved.

Approved this _____ day of _____, 2002.

MARY DEPREZ, CHAIRPERSON

BARBARA L. GLASS, VICE CHAIRPERSON

JAMES DAVIS, COMMISSIONER

GIGI M. MARKS, COMMISSIONER